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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91226172
Party	Plaintiff Color Image Apparel, Inc.
Correspondence Address	Lindsay Hulley & Kelly Galligan Rutan & Tucker, LLP 611 Anton Boulevard14th Floor Costa Mesa, CA 92626 UNITED STATES lhulley@rutan.com, kgalligan@rutan.com, trademarks@rutan.com
Submission	Withdrawal of Opposition
Filer's Name	Lindsay J. Hulley
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Signature	/Lindsay J. Hulley/
Date	03/16/2016
Attachments	BELLANOCTA Application to Amend and Consented Withdrawal (3.16.16).pdf(94413 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Color Image Apparel, Inc.,

Opposer,

v.

Brock Beauty, Inc.,

Applicant.

Opposition No. 91226172

Serial No.: 86/614,392

Mark: BELLANOCTA

**APPLICATION TO AMEND AND  
CONSENTED WITHDRAWAL OF  
OPPOSITION WITHOUT PREJUDICE**

Wherefore, the parties, applicant Brock Beauty, Inc. ("Applicant") and opposer Color Image Apparel, Inc. ("Opposer") have entered into a settlement agreement, conditioned upon, among other things, amendment of Application Serial No. 86/614,392 (the "Application") by amending the description of goods in International Class 25. Therefore, this application to amend is requested pursuant to 37 C.F.R. § 2.133(a) and TBMP § 605.03(b).

Pursuant to 37 C.F.R. § 2.135(a) and TBMP § 605.03(b), Applicant respectfully requests that the Board amend Application Serial No. 86/614,392 by deleting International Class 25 in its entirety. Opposer, through its attorneys, has provided its written consent thereto.

Upon confirmation that International Class 25 has been deleted from Application No. 86/614,392 as indicated above, Opposer, through its attorneys identified below, requests that its Notice of Opposition No. 91226172 be withdrawn with prejudice. Applicant has provided its written consent thereto.

Dated: March 16, 2016

Respectfully submitted,

/Lindsay J. Hulley/  
Lindsay J. Hulley  
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Dated: March 14, 2016

*Attorneys for Opposer  
Color Image Apparel, Inc.*

A handwritten signature in black ink, appearing to read "Rebecca L. Norton", written over a horizontal line.

Rebecca L. Norton  
Lauren K. Navarre  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is one of the attorneys for Opposer Color Image Apparel, Inc., in the above-captioned Opposition proceeding and that on the date which appears below, she caused a copy of the foregoing **APPLICATION TO AMEND AND CONSENTED WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE** to be served on the following by email service per agreement between counsel and Applicant:

**Applicant:**

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Dated: March 16, 2016  
Costa Mesa, California

/Lindsay J. Hulley/  
Lindsay J. Hulley